UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,910	03/26/2004	Richard J. Schneider	IGT1P315/AC037	5053

79646   7590   11/25/2008
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EXAMINER
RENDON, CHRISTIAN E

ART UNIT	PAPER NUMBER
3714	

MAIL DATE	DELIVERY MODE
11/25/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/813,910	SCHNEIDER, RICHARD J.
	Examiner	Art Unit	
	CHRISTIAN E. RENDÓN	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>28 April 2008</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>*1-12,15,17-29,31-40,42-49,51,53,55 and 58-62*</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>*1-12,15,17-29,31-40,42-49,51,53,55 and 58-62*</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>4/28/08</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

Response to Amendment

This office action is in response to the amendment filed on 4/28/08 in which applicant amended claim

1, 15, 26, 38, 46, 51; responded to claim rejections. Claims 1-12, 15, 17-29, 31-40, 42-49, 51, 53, 55

and 58-62 are still pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the

rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 5, 7, 12, 15, 17-19, 21-23, 25, 51, 53, 55 and 58-62 are rejected under 35

U.S.C. 102(b) as being anticipated by Okada (US 5,496,032).

1.   Okada discloses a management system designed to detect fraudulent acts in a gaming hall

(abstract). The system monitors the number of inserted and paid-out tokens from a slot machine

(abstract). The collected data is compared and a discrepancy in the calculation is considered a sign

of theft thus the system initiates an alarm based on the level the measured divergence (abstract). The

system consists of token dispenser **16p32** connected to slot machines **15p32** (col. 4, lines 26-29),

token counter **17p,** money exchanger **18p,** 'sixteen system control units' **(SCU) 10p** & a local

computer **27** through a local area network (LAN) established from optical fiber cables **12** (fig. 1).

Furthermore, the LAN portion of the system is connected to a host computer through a wide-area

network (WAN) provided by a modem connection **38** (col. 5, lines 10-13).

2.   Regarding claim 1, the disclosed slot machine **15p** and its components such as token

dispenser **16p** (col. 4, lines 26-29) and token counter **17p** are considered **gaming devices**. The art

discloses supplying the number of tokens entered or **accepted** into each slot machine and the

number of paid or **outputted** token to a SCU **10p** (col. 5, lines 51-54). Thus the art teaches a gaming

device inherently containing a value tracker able to provide **the number of accepted and outputted**

tokens. The local computer **27** calculates (col. 5, line 61) the difference between the collected data

during **different time** (col. 8, lines 49-51) **periods** (col. 6, lines 55-59). An analysis resulting in zero is

considered normal (col. 8, lines 33-34); however a value greater then zero triggers an alarm. The

severity of the alarm is based on a comparison between the results and an established range (col. 8,

lines 34-41):

 Green alarm signal produced from a range of 1 to 3000 money units

 Yellow alarm signal produced from a range of 3001 to 5000 money units

 Red alarm signal produced from a range of 5001 to infinity money units

Therefore the art teaches generating an alarm or **warning signal based on a comparison of the**

accepted and outputted monetary value for or occurring during **different time periods that are**

associated with different alert ranges or **warning thresholds**.

3. Regarding claims 2, 5, 7, 10, 12, 20, 53, 55, tokens are **physically discharged** for distribution

from a token dispenser **16p** (col. 4, lines 29-32) and money changer **18p** (col. 5, lines 25-28) in

exchange for a cash to token value equivalent. As stated above, a **gaming device** consists of a slot

machine **15p** and its components such as token dispenser **16p** (col. 4, lines 26-29). The Examiner

views the insertion of a token into a gaming device (col. 5, lines 28-30) as an act of **transferring and**

acceptance of credit or cash equivalent to the device by having **tokens deposited into the**

gaming device. As discussed above, the gaming devices are **tracking** an inserted token which is a

credit or cash equivalent. Furthermore, the Examiner views a token as a **physical device that**

transfers credit or cash equivalent. The art also discloses token counters **17p** printing receipts that

display a counted number of tokens. An issued receipt is accepted by the premium exchange

department for goods or money (col. 5, lines 42-46) thus receipts function as **coupons or tickets**

that are redeemed elsewhere on a gaming network such as the exchange department.

Furthermore, the art teaches tracking the amount of tokens outputted by a gaming machine (abstract)

thus the system will also track jackpots.

4.   Regarding claims 15, 17-18, the art teaches **reset-able time periods** since an analysis is

determined for each elapsed time period (col. 3, lines 7-8). Since the prior art presents the time

periods as variables (T1, T2), a time period lasting any duration (col. 6, lines 55-58) is inherent, thus

teaching a **time period of one hour or an employee work shift**. A full shift is the maximum an

employee is able to work at the game hall equaling the duration of the hall's operating hours. The art

teaches the system tracking the total number of tokens entered into all slot machines during the

period of gaming hall opening (col. 7, lines 47-49) until the hall closes (col. 8, line 56). Therefore

teaching a **time period equaling the duration of an employee work shift**. Furthermore, the time

periods are occurring **concurrently** since each slot machine has their own time period (col. 6, lines

55-59).

5.   Regarding claims 20-23, 25, the prior art teaches displaying a visual alarm (abstract) on a

monitor (col. 4, lines 3-5) coupled to the network (fig. 1). As stated above, the gaming device provides

the tracking data to a SCU **10p** (col. 5, lines 51-54) thus the art teaches a gaming device inherently

containing a value tracker able to provide **the number of accepted and outputted tokens**. Thus the

value tracker is resident on a network with a gaming device (fig. 1). Furthermore, the local computer

27 calculates (col. 5, line 61) the difference between the collected data, which in turn is used to

determine an alarm state (col. 8, lines 19-24). Thus the local computer **27** has a **warning generating**

system that is resident on a network (fig. 1).

6.   Regarding claim 51, the limitations that are found in claim 1 are rejected under the same

rational. The prior art teaches defining the range for a red alarm as 5000 to (KKU – JKUn) (col. 8,

lines 31-32) and JKUn is based on the actual total sale amount for each token dispenser (col. 7,

27-29). A gaming device is considered by the prior art as the combination of a slot machine and a

token dispenser (col. 4, lines 27-29). Therefore the prior art teaches **modifying a predetermined**

value based on the amount of monetary value accepted into the gaming device.

7.   Regarding claim 58, the prior art discloses **three type of** alarm or **warning**, each representing

a different level of fraud intensity (col. 8, lines 34-41). Thus the art teaches the green alarm as a **first**

type of warning and yellow as the **second highest type of warning**.

8.   Regarding claims 59-62, the reference teaches **generating a visual** alarm or **warning**

(abstract). The art teaches halting or **prohibiting a game on a gaming device from operating**

when a warning is issued (col. 5, lines 4-7). A **warning signal is transmitted over the network** to

the host computer in the headquarters for operation evaluation (col. 5, lines 10-13). Furthermore the

disclosed graphs (fig. 3-6) that are printed out as alarm data (col. 5, line 3) are viewed to teach the

generation of event log entry.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections

set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section
> 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the
> subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill
> in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35
U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly
owned at the time any inventions covered therein were made absent any evidence to the contrary.
Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates
of each claim that was not commonly owned at the time a later invention was made in order for the
examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)
prior art under 35 U.S.C. 103(a).

Claims 26-40 and 42-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada

in view of "Dealing with 'Outliers': How to Maintain Data's Integrity"

(http://cc.uoregon.edu/cnews/spring2000/outliers.html).

9.   The above description of the invention disclosed by Okada and the limitations they pertain is considered within this art rejection as well. Okada remains silent towards excluding jackpot payouts from the calculated results. The prior art article "Dealing with 'Outliers': How to Maintain Data's Integrity" from here on will be referred to as Outlier. The article defines an outlier as an unusual data value appearing in a data collection as a result of an error or a rare event. The author considers outliers a problem since their presence inflate sum of squares, distort estimates and p-values which can all lead to faulty conclusions.

10.   Regarding claims 26, 38, 46, Okada discloses a management system that determines fraudulent acts and produces **warning signals** based on a statistical analysis. The prior art article 'Outliers' teaches how rare events can distort an estimation resulting in faulty conclusions. Thus the article teaches **excluding data** from a **data calculation**. The inclusion of the prior art article into the system disclosed by Okada would prevent **jackpot events** from resulting in a false analysis of a fraudulent act; therefore it would have been obvious to an ordinary skilled artisan to combine the references.

11.   Regarding claims 27, 39, 47, the limitations that are found in claim 2 are rejected under the same rational therefore see above.

12.   Regarding claims 28, the limitations that are found in claim 20 are rejected under the same rational therefore see above.

13.   Regarding claims 29, 40, 48, the limitations that are found in claim 7 are rejected under the same rational therefore see above.

14.   Regarding claims 31, the limitations that are found in claim 60 are rejected under the same rational therefore see above.

15.   Regarding claim 32, Okada discloses the local computer containing a buzzer **32** (col. 4, lines 65-66). Therefore the prior art teaches the use of an **audible sound as a warning signal**.

16.   Regarding claims 35-36, Okada further discloses the warning signal comprises creating a **list of suspect gaming devices** (see Fig. 4; col. 8, lines 61-64) and creating an entry in an **event log** or print out of the data (see col. 8, lines 15-21)

17.   Regarding claims 37, 45, the limitations that are found in claim 59 are rejected under the same rational therefore see above.

18.   Regarding claims 42-43, Okada teaches the use of a **comparator** to determine if a **calculated value** occurs within a range defined by **predetermined values** (col. 8, lines 25-32). The system generates a **warning signal** based the range or **threshold amount** the calculated results occurs within (col. 8, lines 33-44).

19.   Regarding claims 44, 49, Okada discloses a local computer **27** calculating (col. 5, line 61) the difference between the collected data during a **time** (col. 8, lines 49-51) **period** (col. 6, lines 55-59). The system generates a **warning signal** based the range or **threshold amount** the calculated results occurs within (col. 8, lines 33-44).

Claims 26-40 and 42-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada in view of "Dealing with 'Outliers': How to Maintain Data's Integrity" and further in view of Oles et al. (US 2003/0060280 A1).

20.   The above description of the invention disclosed by Okada and the limitations they pertain is considered within this art rejection as well. Okada teaches LAN established from optical fiber cables **12** (fig. 1) and WAN provided by a modem connection **38** (col. 5, lines 10-13). However remains silent towards the use of a wireless communication system instead of optical fiber cables or modem connection. Oles teaches a casino money handling system with a gaming machine networked to a control station. The link may be wired or wireless and cites the IEEE 802.11b **wireless** standard as an example (Oles: par 62). An IEEE 802.11b **wireless network** contains a plurality of **radios monitoring the same frequency**. Therefore, in view of Oles et al., it would have been obvious to one

of ordinary skill in the art at the time the invention was made to replace the wired optical connection

between the local computer and gaming machine of Okada with a wireless IEEE 802.11b wireless

network in order to reduce the number of wires necessary in the system. The **warning signal** would

be **transmitted wirelessly** from the local computer to the gaming machine in order to halt operation.

Claims 3-4, 6, 8-9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada

in view of LeStrange (US 5,470,079).

21.   The above description of the invention disclosed by Okada and the limitations they pertain is

considered within this art rejection as well. Okada remains silent towards the establishment of player

accounts on the network through smart cards. LeStrange teaches an **accounting** and monitoring

system for game machines that tracks credit cards, **smart cards**, or other data cards containing

credit accounts (LeStrange: col. 4, line 64 - col. 5, line 5). In other words, the reference teaches the

establishment of an **account for a player** on the **network** that allows for **credit transfers** to a

gaming device through a **smart card**. tracking of Therefore it would have been obvious to one of

ordinary skill in the art at the time the invention was made to modify the management method for the

gaming hall of Okada to include the management and accounting of cashless forms of payment (i.e.,

credit cards, smart cards, and player accounts) taught by LeStrange in order to encourage more

people to use the game machine by providing more convenient payment options.

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okada.

22.   The above description of the invention disclosed by Okada and the limitations they pertain is

considered within this art rejection as well. Okada discloses a local computer **27** that calculates (col.

5, line 61) the difference between the collected data during **different time** (col. 8, lines 49-51)

periods (col. 6, lines 55-59) and produces a **warning signal** when a fraudulent act is detected. In

other words, the prior art fails to disclose a warning generating system in a gaming device. However it

would have been obvious to an ordinary artisan to include the program code of the local computer

into each gaming machine due to the advancements in processor power over the years. Furthermore

this alteration is considered the combination of known elements thus producing predictable results.

Response to Arguments

Applicant's arguments with respect to claims 1-12, 15, 17-29, 31-40, 42-49, 51, 53, 55, 58-62 have

been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTIAN E. RENDÓN whose telephone number is (571)272-3117. The examiner can normally be reached on 9 - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dimtry Suhol can be reached on 571-272-4430. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dmitry Suhol/   /CHRISTIAN E RENDÓN/
Supervisory Patent Examiner, Art Unit 3714   Examiner Art Unit 3714

CER